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Resolution adopted by the General Assembly on 27 December 2013

[*on the report of the Third Committee (A/68/456/Add.3)*]

68/242. Situation of human rights in Myanmar

The General Assembly,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other relevant human rights instruments, and recalling its previous resolutions on the situation of human rights in Myanmar, the most recent of which is resolution 67/233 of 24 December 2012, those of the Commission on Human Rights, and those of the Human Rights Council, the most recent of which is resolution 22/14 of 21 March 2013,[3]

Welcoming the report of the Secretary-General on the situation of human rights in Myanmar[4] and the facilitation by the Government of Myanmar of the visits of his Special Adviser to the country from 13 to 16 January, 3 to 6 February, 21 to 25 March, 25 August to 2 September and 7 to 10 October 2013,

Welcoming also the report of the Special Rapporteur on the situation of human rights in Myanmar[5] and the access granted to him during his visits to Myanmar from 11 to 16 February and 11 to 21 August 2013,

1. *Welcomes* the positive developments in Myanmar and the stated commitment of the Government of Myanmar to continue on the path of political and economic reform, democratization and national reconciliation and the promotion and protection of human rights, recognizing the scale of the reform effort undertaken to date;

2. *Also welcomes* the continued engagement of the Government of Myanmar with political actors within the parliament, civil society and opposition

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. IV, sect. A.

[4] A/68/331.

[5] A/68/397.

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parties, and urges the Government to continue constitutional and electoral reform in order to ensure that the elections to be held in 2015 are genuinely credible, inclusive and transparent;

3. *Further welcomes* the increasing space for political activity, assembly, speech and the press, and encourages the Government of Myanmar to fulfil its commitment to carry out comprehensive media reform and to protect the right to freedom of expression, association and of peaceful assembly, including to allow for free and independent media and to ensure the safety, security and freedom of human rights defenders to pursue their activities;

4. *Welcomes* the statement by the President of Myanmar that no prisoners of conscience will remain in prison by the end of 2013, the continued release of prisoners of conscience during the past year and the work of the political prisoner review committee, and urges the Government of Myanmar to continue the process and to fulfil its commitment to release them by the end of 2013, without conditions, and to ensure the full restoration of their rights and freedoms;

5. *Expresses concern* about remaining human rights violations, including arbitrary arrests and detentions of political activists and human rights defenders, forced displacement, land confiscations, rape and other forms of sexual violence and torture and cruel, inhuman and degrading treatment, as well as violations of international humanitarian law, and urges the Government of Myanmar to step up its efforts to put an end to such violations;

6. *Welcomes* ongoing efforts aimed at reviewing and reforming legislation, including the Constitution, recalls the importance of ensuring its compatibility with international standards and democratic principles, in this regard acknowledges with interest the draft legislation on the National Human Rights Commission intended to bring its functioning into line with the Paris Principles,[6] and calls upon the Government of Myanmar to continue legal reform, including by repealing laws restricting fundamental freedoms, and to consider ratifying additional international instruments, including international human rights conventions;

7. *Encourages* the Government of Myanmar to take further steps to strengthen the rule of law, including through legislative and institutional reform, and to address the need for an independent, impartial and effective judiciary, and repeats its call upon the Government to take necessary measures to ensure accountability and end impunity, including by undertaking a full, transparent and independent investigation into all reports of violations of international human rights and humanitarian law;

8. *Welcomes* the signing of ceasefire agreements between the Government of Myanmar and ethnic armed groups, and the recent signing of a seven-point agreement with regard to Kachin State and urges full implementation of it and of ceasefire agreements between other groups and the Government, including for all parties to protect the civilian population against ongoing violations of human rights and international humanitarian law and for safe, timely, full and unhindered humanitarian access to be granted to all areas, also welcomes the commitment by the Government to reach a nationwide ceasefire with ethnic armed groups, and encourages an all-inclusive political dialogue with the objective of achieving lasting peace;

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[6] Principles relating to the status of national institutions for the promotion and protection of human rights (resolution 48/134, annex).

9. *Urges* the Government of Myanmar to accelerate its efforts to address discrimination, human rights violations, violence, displacement and economic deprivation affecting various ethnic and religious minorities;

10. *Reiterates its serious concern* about the situation of the Rohingya minority in Rakhine State, including repeated instances of communal violence and other abuses in the past year, and about attacks against Muslim minorities elsewhere in the country, calls upon the Government of Myanmar to protect the civilian population from ongoing violence, to ensure full respect for human rights and fundamental freedoms, including full access to humanitarian assistance without discrimination, unhindered access across Rakhine State and the voluntary return of internally displaced persons and refugees to their communities of origin, to allow freedom of movement, equal access to full citizenship for the Rohingya minority and to address issues of land ownership and restitution of property, and, while welcoming some measures taken by the Government in this regard, encourages the Government to facilitate intercommunity dialogue and address the root causes of the issue, to undertake full, transparent and independent investigations into all reports of human rights violations and to ensure accountability and bring about reconciliation;

11. *Welcomes* steps taken by the Government of Myanmar towards further engagement with a number of regional and other actors, and in this regard welcomes the visit of the Secretary-General of the Organization of Islamic Cooperation and a group of ministers in November 2013;

12. *Calls upon* the Government of Myanmar to step up its efforts to promote tolerance and peaceful coexistence in all sectors of society by, inter alia, encouraging interfaith dialogue and understanding and supporting community leaders in this direction;

13. *Welcomes* the steps taken by the Government of Myanmar to improve engagement and cooperation with the United Nations and other international actors, including the International Committee of the Red Cross, the Special Representative of the Secretary-General for Children and Armed Conflict and the International Labour Organization, and the progress made towards ending the recruitment and use of child soldiers in Myanmar and towards the elimination of forced labour, and encourages the full implementation of relevant agreements, including of the action plan to end and prevent the recruitment and use of children by the armed forces and the commitment to end forced labour by 2015;

14. While noting ongoing negotiations, *expresses concern* at delays, and calls upon the Government of Myanmar to speed up the process of establishing a country office of the Office of the United Nations High Commissioner for Human Rights, in accordance with the mandate of the United Nations High Commissioner for Human Rights;

15. *Encourages* the international community to continue to support the Government of Myanmar in the fulfilment of its international human rights obligations and commitments, the implementation of its democratic transitional process and its economic and social development;

16. *Requests* the Secretary-General:

(*a*) To continue to provide his good offices and to pursue his discussions on the situation of human rights, the transition to democracy and the national reconciliation process with the Government and the people of Myanmar, involving

all relevant stakeholders, including democracy and human rights groups, and to offer technical assistance to the Government in this regard;

(*b*) To give all assistance necessary to enable the Special Adviser to the Secretary-General on Myanmar and the Special Rapporteur on the situation of human rights in Myanmar to discharge their mandates fully, effectively and in a coordinated manner;

(*c*) To report to the General Assembly at its sixty-ninth session, as well as to the Human Rights Council, on the progress made in the implementation of the present resolution;

17. *Decides* to remain seized of the matter on the basis of the reports of the Secretary-General and the Special Rapporteur.

72nd plenary meeting
27 December 2013